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REMARKS – General**Rejections under 35 USC§103**

The OA rejects claims 1-20 and 22 under §103(a) as being unpatentable over Chasek (US Pat. No. 5, 237,507) in view of Edelman et al. (US Pat. No. 6,281,601), herein after “Edelman”. Specifically, with respect to claim 1, the OA submits that Chasek teaches the limitations of claim 1 except for a means for actuating a power machine. The OA submits that Edelman teaches a system for actuating a networked power generation system and that it would be obvious to one of ordinary skill in the art at the time the invention was made to combine Chasek and Edelman to achieve Applicants’ invention.

With respect to claim 1, in the prior response, Applicants amended claim 1 to recite a plurality of power machines, wherein each power machine includes control circuitry. The control circuitry includes locally stored information that is evaluated when an actuation signal from the remote means for actuating transmits an actuation signal.

Applicants submitted the following comments with respect to this amendment:

Contrary to the Chasek-Edelman combination, Applicants’ invention delays the actuation of the power machine until the local data is evaluated. If the local data is not conducive to actuation of the power machine, the control circuitry will disregard the actuation signal and will not actuate the power machine. Applicants submit that neither Chasek nor Edelman teach a remote means of actuating a power machine and a local control circuit for evaluating local data upon receipt of the actuation signal and prior to actuating the power machine. Hence, the combination fails to teach all of Applicants’ claimed limitations.

Edelman, for example, teaches a remote power meter as providing an overriding control signal to the power machine. See e.g. col. 5, lines 18-28 and FIG. 5. Chasek teaches a central utility computer that monitors information like temperature and demand. See e.g. FIG. 1. As neither Chasek nor Edelman teaches the amended limitations of Applicants’ claim 1, Applicants respectfully submit that any §103 case of obviousness is overcome. Applicants respectfully request reconsideration in light of the amendment.

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In the most recent OA, the Examiner traverses this argument, submitting that Edelman teaches control circuitry that evaluates local data. The OA cites both the Abstract and col. 6, lines 30-40 of Edelman.

Applicants respectfully traverse the OA's interpretation of these passages. Applicants respectfully submit that both passages teach a power meter, not control circuitry, which provides advanced functionality in the system. Applicants respectfully submit that neither passage teaches evaluation of local data, by the control circuit, prior to actuation of the power machine upon receipt of an actuation signal. Applicants provide the basis for this assertion in the following paragraphs.

With respect to the Abstract, Applicants quote the relevant passage here, with the subject and predicate highlighted: "***The power meter***, required in mist utility grid connedtged (sic) applications to measure load consumption, ***is utilized to provide a feedback to*** an associated turbogenerator power controller, ***providing a control system*** for peak shaving, load following, reactive power control, reverse flows protection and load analysis for scheduled turbogenerator production." Edelman, Abstract, lines 1-6. Emphasis added.

Read in accordance with plain English, this sentence states that the power meter is utilized to provide feedback, thereby providing a control system. Nothing is stated regarding the evaluation of local data prior to the actuation of the turbogenerator, as is claimed by Applicants in claim 1 and its dependent claims.

Further, with respect to column 6, lines 30-40, Edelman states that "***The meter...provides a communication signal to*** the controller/turbogenerator which provides turbogenerator production to the building load." Applicants respectfully submit that this states nothing about consideration of local information prior to actuation. It merely states that the controller/turbogenerator provides power to a building load. There is no mention of an intermediate step of considering local information prior to actuation.

Applicants note that in lines 36-40, Edelman states that it is the *meter* that "...measures the difference between turbogenerator production from the controller turbogenerator and the utility power demand for the building load and directs a communication signal to the turbogenerator." Again, this states nothing about the consideration of local information, by the control circuitry, prior to actuation of the

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generator. Applicants respectfully request direction as to where Edelman teaches the consideration of local information prior to actuation, this consideration coming after receipt of an actuation signal. In the absence of such teaching, Applicants respectfully submit that the Chasek/Edelman combination fails to teach this element of Applicants' invention. Applicants respectfully request reconsideration of the rejection in light of these comments.

With respect to claim 10, Applicants note that the claim was amended in a prior response to recite control circuitry that selectively evaluates local data. The selective evaluation is dependent upon the receipt of an override signal. If no override signal is received, the control circuitry evaluates the local data. When the override signal is received, the evaluation of local data is omitted.

The OA cites Edelman, col. 6, lines 30-40 when submitting that Edelman teaches the evaluation of local data in a control circuit coupled to the power machine. Applicants respectfully part company with this interpretation, per the comments with respect to claim 1 above. Applicants further submit that neither Chasek nor Edelman teaches omission of consideration of local data upon receipt of an override signal, nor do they teach a control circuitry that selectively reviews local information, the selective view being dependent upon an override signal. As such, Applicants respectfully submit that the combination fails to teach all of Applicants' claimed limitations, and that the §103 rejection is overcome. Applicants respectfully request reconsideration of the rejection in light of these comments.

With respect to claim 20, Applicants have amended this claim. Claim 20 now recites a plurality of power machines, wherein each power machine includes control circuitry. When an actuation signal is sent to the control circuitry, in addition to evaluating local data, the control circuitry checks to see if power is available from the power grid. If not, the control circuitry isolates the loads coupled to the power machine from the grid. Support for the amendment is found in the specification as originally filed at page 6, lines 10-13.

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Applicants respectfully submit that the combination of Chasek and Edelman fails to teach a system with all of Applicants' claimed limitations, including checking the power grid to see if power is available, and isolating a load when power is unavailable. As the combination of Chasek and Edelman fails to teach all of Applicants' claimed limitations, Applicants respectfully submit that the §103 rejection is overcome. Applicants respectfully request reconsideration of the rejection in light of the amendment and these comments.

Claim 21 is rejected under §103 as being unpatentable over Chasek in view of Edelman, further in view of Norris et al. (US Pat. No. 5,510,780), herein after "Norris". Specifically, the OA states that Chasek and Edelman teach the limitations of claim 21 except for licensing of power machines. The OA submits that Norris teaches controlling power generation equipment wherein the power machines are leased.

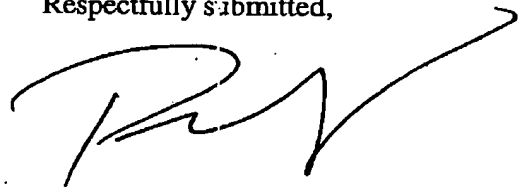
Applicants rely on the comments above regarding claim 10, as independent claim 10 (from which claim 21 depends) has been amended in the prior OA to recite selectively reviewing local information depending upon the receipt of an override signal. Applicants submit that Norris fails to teach a remote means of actuating a power machine and a local control circuit for evaluating local data upon receipt of the actuation signal and prior to actuating the power machine, dependent upon an override signal. Thus, the combination fails to teach all of Applicants' claimed limitations. Applicants respectfully submit that the obviousness rejection is overcome. Applicants respectfully request reconsideration of the rejection in light of the amendments.

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CONCLUSION

For the above reasons, Applicants believe the specification and claims are now in proper form, and that the claims all define patentably over the prior art. Applicants believe this application is now in condition for allowance, for which they respectfully submit.

Respectfully submitted,



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